

Resolution No.: 16-1395
Introduced: May 18, 2010
Adopted: June 15, 2010

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Comprehensive Revision to Office of Zoning and Administrative Hearings' Fee Schedule

Background

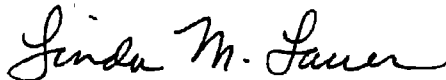
1. Section 59-H-2.32 of the Montgomery County Code provides for the establishment by resolution of the District Council differential local map amendment filing fees following a public hearing on reasonable notice. Section 59-G-1.12 of the Code requires the Council to set the filing fee for special exception applications filed with the Hearing Examiner.
2. The last general revision to the Office of Zoning and Administrative Hearings' filing fee schedule was approved by the Council on June 19, 2007.
3. The Office of Zoning and Administrative submitted for approval comprehensive revisions to the Office's fee schedule.
4. On June 15, 2010, the County Council held a public hearing on the proposed revised special exception filing fee schedule.
5. On June 15, 2010, the County Council reviewed the proposed filing fee schedule.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

The attached fee schedule is established for filing Local Map Amendment and Development Plan Amendment applications, and special exceptions with the Office of Zoning and Administrative Hearings.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

Local Map Amendment/Development Plan Amendment Fee Schedule

Zone Classification	Basic Fee for Designated Acreage or Less	Revised Fee	Additional Fee Per Acre Above Designated Acreage	Revised Fee
Residential, One-Family Zones				
Rural Density Transfer (25 acres)	\$650	\$725	\$150	\$175
Rural (5 acres)	650	725	150	175
Rural Cluster (5 acres)	725	800	200	225
Rural Neighborhood Cluster (5 acres)	925	1,000	200	225
Rural Service (2 acres)	1,450	1,600	350	400
Low Density Rural Cluster Dev. Zone (5 acres)	800	900	200	225
Low-density Resid. & TDR (1 acre)				
- RE-2, RE-2C and RE-1	2,300	2,500	400	450
- R-200, RMH-200 and R-150	3,550	3,900	400	450
Medium-density Resid. & TDR (1 acre)				
- R-90, R-60 and R-40	4,600	5,000	400	450
Fourplex (1 acre)	5,500	6,000	400	450
R-T (1 acre)	5,500	6,000	400	450
Residential, Multi-Family and Mobile Home Zones				
R-30, R-20, R-10 and R-H (1 acre)	5,500	6,000	450	500
R-MH-Mobile Home Dev. (15 acres)	9,200	10,000	425	475
Planned Development Zone				
P-D (2 acres)	10,000	11,000	600	650
MXPD (20 acres)	16,500	18,150	600	650
MXN (20 acres)	16,500	18,150	600	650
Planned Neighborhood (50 acres)	24,000	26,500	600	650
P-R-C (25 acres)	20,000	22,000	600	650
Town Sector (50 acres)	24,000	26,500	600	650
Planned Cultural Center (5 acres)	8,000	8,800	600	650
RMX-Zones				
RMX-1 and RMX-1/TDR (1 acre)	6,000	6,600	525	575
RMX-2, RMX-2/TDR & RMX-2C (1 acre)	7,500	8,200	600	650
RMX-3, RMX-3/TDR & RMX-3C (1 acre)	8,600	9,500	700	775
Commercial Zones				
C-1, C-2, C-O, C-T, O-M, C-3, C-5, C-4 (1 ac)	6,600	7,200	600	650
C-T, O-M, C-3 and C-5 (1 acre)	6,600	7,200	600	650
C-6 (40 acres)	9,000	10,000	600	650
Country Inn (2 acres)	6,000	6,600	600	650
Hotel-Motel (2 acres)	8,000	8,800	600	650
C-P (5 acres)	\$ 8,500	\$ 9,350	\$ 600	\$ 650

Zone Classification	Basic Fee for Designated Acreage or Less	Revised Fee	Additional Fee Per Acre Above Designated Acreage	Revised Fee
Industrial Zones				
I-1 and I-2 (1 acre)	\$ 6,600	\$ 7,200	\$ 600	\$ 650
I-3 (2 acres)	8,000	8,800	700	775
I-4 (2 acres)	8,000	8,800	700	775
Mineral Resource Recovery Zone (10 acres)	16,500	16,500	700	775
Research & Development Zone (2 acres)	14,500	14,500	700	775
Life Sciences Center	16,500	18,150	800	875
Central Business District Zone				
CBD-1, CBD-R1, CBD-R2 and CBD-0.5 (1 acre)	6,600	7,200	600	650
CBD-2 and CBD-3 (1 acre)	8,000	8,800	700	775
Transit Station Zones				
TS-M and TS-R (1 acre)	8,500	9,350	\$ 675	\$ 750
Optional Method of Application (Schematic Development Plan)				
Supplemental initial filing fee	3,250	3,600		
Amendment to Approved SDP				
Fee for each initial amendment request following Council approval of prior plan	3,400	3,800		
Amendment to Approved Dev. Plan				
Fee for each initial amendment request following Council approval of prior plan	3,400	3,800		
Supplemental fee if public hearing is conducted	3,500	3,850		
Subsequent Amendments to Pending SDP and DP Amendments				
For each revision to a SDP or DP amendment while the amendment is still pending County Council approval, except revisions filed explicitly at the request of Technical Staff, Planning Board or Hearing Examiner				
Filing fee	1,750	1,925		
Sign(s) to post on property				
Currently, \$100 is refunded if sign is returned in usable condition. With fee increase, \$250 will be refunded if sign is returned in usable condition.	\$150	\$300		

No filing fee shall exceed \$100,000 for any one application.

Office of Zoning and Administrative Hearings Special Exception Filing Fee Schedule

Special Exception Use	Current Fee	Revised Fee
Boarding house (R-30, R-20, & R-10 zones)	\$650	\$725
Home occupations (R-30, R-20 & R-10 zones)	350	550
Riding Stables, non-commercial (RE-2 zone)	425	475
Temporary Structures (all residential zones)	425	475
Farm Tenant mobile homes	825	900
Group Day Care Home, 9-12 children	400	450
Child Day Care Center, 13-30 children	1,000	1,100
Renewal of Temporary Special Exceptions (major home occupations)	60	60
Modification of existing Special Exception without Public Hearing	None	<i>10% of prevailing SE fee with minimum of \$50</i>
Modification of existing Special Exception with Public Hearing		
No new construction proposed	None	<i>25% of prevailing SE fee</i>
New construction proposed	None	<i>50% of prevailing SE fee</i>
Sign to be posted on property Currently, \$100 is refunded if sign is returned in usable condition. With fee increase, \$250 will be refunded if sign is returned in usable condition.	\$150	\$300